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Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 16th March 1984 / 26th Phalguna 1905 [No. 210

SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1333/LA5/84 *Dated, Trivandrum, 16th March,* 1984.

The Kerala Appropriation Bill, 1984 together with the Statement of Objects and Reasons, is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/927/MC.

Seventh Kerala Legislative Assembly

Bill No. 100

THE KERALA APPROPRIATION BILL, 1984

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1974, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1974, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fifth year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation Act, 1984.

2. *Issue of Rs. 6,29,010 out of the Consolidated Fund of the State of Kerala, to meet certain excess expenditure for the financial year ended on the 31st March, 1974.*—From and out of the Consolidated Fund of the State of Kerala, the sum specified in column (3) of the Schedule amounting in the aggregate to the sum of six lakhs, twenty-nine thousand and ten rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1974, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sum deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1974.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
XXVII	Industries	6,29,010	..	6,29,010
	Total	6,29,010	..	6,29,010

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1973-74.

K. M. MANI

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1333/LA5/84. *Dated, Trivandrum, 16th March, 1984.*

The Kerala Appropriation (No. 2) Bill, 1984 together with the Statement of Objects and Reasons, is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,

Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/929/MC

Seventh Kerala Legislative Assembly

Bill No. 101

THE KERALA APPROPRIATION (No. 2) BILL, 1984

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1976, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1976, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fifth Year of the Republic of India as follows:

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 2) Act, 1984.

2. *Issue of Rs. 3,39,99,460 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1976.*—From and out of the Consolidated Fund of the State of Kerala, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of three crores, thirty-nine lakhs, ninety-nine thousand, four hundred and sixty rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respet of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1976, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1976.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
XVII	Education, Art and Culture	2,36,47,870	..	2,36,47,870
XXV	Social Welfare including Harijan Welfare	54,60,749	..	54,60,749
	Public Debt Repayment	..	48,90,841	48,90,841
	Total	2,91,08,619	48,90,841	3,39,99,460

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1975-76.

K. M. MANI

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1333/LA5/84 *Dated, Trivandrum, 16th March,* 19

The Kerala Appropriation (No. 3) Bill, 1984 together with the Statem of Objects and Reasons, is published, under Rule 69 of the Rules of Proced and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/931/MC.

Seventh Kerala Legislative Assembly

Bill No. 102

THE KERALA APPROPRIATION (No. 3) BILL, 1984

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31*st day of March*, 1977, *in excess of the amounts granted for those services and for that year.*

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1977, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 3) Act, 1984.

2. *Issue of Rs.* 1,11,50,841 *out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the* 31*st March*, 1977.—From and out of the Consolidated Fund of the State of Kerala, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of one crore, eleven lakhs, fifty thousand, eight hundred and forty-one rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1977, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1977.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly*	*Charged on the Consolidated Fund*	*Total*
		Rs.	Rs.	Rs.
XXV	Labour and Employment	4,60,570	..	4,60,570
XXXVIII	Irrigation	1,06,90,271	..	1,06,90,271
	Total	1,11,50,841	..	1,11,50,841

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1976-77.

K. M. MANI.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1333/LA5/84. *Dated, Trivandrum, 16th March, 1984.*

The Kerala Appropriation (No. 4) Bill, 1984 together with the Statement of Objects and Reasons, is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

Dr. R. Prasannan,
Secretary,
Legislative Assembly.

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33/933/MC.

Seventh Kerala Legislative Assembly

Bill No. 103

THE KERALA APPROPRIATION (No. 4) BILL, 1984

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the Financial Year ended on the 31st day of March, 1978, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1978, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title*.—This Act may be called the Kerala Appropriation (No. 4) Act, 1984.

2. *Issue of Rs. 51,91,272 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1978*.—From and out of the Consolidated Fund of the State of Kerala, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of fifty-one lakhs, ninety-one thousand, two hundred and seventy-two rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1978, in excess of the amounts granted for those services and for that year.

3. *Appropriation*.—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1978.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly*	*Charged on the Consolidated Fund*	*Total*
		Rs.	Rs.	Rs.
XVII	Education, Art and Culture	15,47,510	..	15,47,510
XVIII	Medical	20,41,933	..	20,41,933
XXV	Labour and Employment	9,60,517	..	9,60,517
XXXVI	Community Development	2,34,850	..	2,34,850
XXXVII	Industries	4,06,462	..	4,06,462
	Total	51,91,272	..	51,91,272

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1977-78.

K. M. MANI

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1333/LA5/84. *Dated, Trivandrum, 16th March, 1984.*

The Kerala Appropriation (No. 5) Bill, 1984 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/935/MC.

Seventh Kerala Legislative Assembly

Bill No. 104

THE KERALA APPROPRIATION (No. 5) BILL 1984

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1979, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1979, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fifth year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 5) Act, 1984.

2. *Issue of Rs. 1,80,27,429 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1979.*—From and out of the Consolidated Fund of the State of Kerala, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of one crore, eighty lakhs, twenty-seven thousand, four hundred and twenty-nine rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1979, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1979.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly* *Rs.*	*Charged on the Consolidated Fund* *Rs.*	*Total* *Rs.*
XXVII	Famine	13,02,465	..	13,02,465
XXXI	Food	..	84	84
XXXII	Animal Husbandry	..	49	49
XXXIII	Dairy	11	..	11
XXXVIII	Irrigation	1,67,19,338	165	1,67,19,503
XLII	Tourism	5,317	..	5,317
	Total	1,80,27,131	298	1,80,27,429

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1978-79.

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SECRETARIAT OF THE KERALA LEGISLATURE

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No. 1333/LA5/84. *Dated, Trivandrum, 16th March, 1984.*

The Kerala Appropriation (No. 6) Bill, 1984 together with the Statement of Objects and Reasons, is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/937/MC.

Seventh Kerala Legislative Assembly

Bill No. 105

THE KERALA APPROPRIATION (No. 6) BILL, 1984

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1980, in excess of the amounts granted for those services and for that year.

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1980, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 6) Act, 1984.

2. *Issue of Rs. 4,51,05,902 out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the 31st March, 1980.*—From and out of the Consolidated Fund of the State of Kerala, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of four crores, fifty one lakhs, five thousand, nine hundred and two rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1980, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1980.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly* Rs.	*Charged on the Consolidated Fund* Rs.	*Total* Rs.
IX	Taxes on Vehicles	50,329	..	50,329
XVIII	Medical	...	14,635	14,635
XXIV	Information and Publicity	50,979	..	50,979
XXXVII	Industries	..	64,360	64,360
	Debt Charges	..	4,49,25,599	4,49,25,599
	Total	1,01,308	4,50,04,594	4,51,05,902

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1979-80.

K. M. MANI

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1333/LA5/84. *Dated, Trivandrum 16th March, 1984.*

The Kerala Appropriation (No. 7) Bill, 1984 together with the Statement of Objects and Reasons is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/939/MC.

Seventh Kerala Legislative Assembly

Bill No. 106

THE KERALA APPROPRIATION (No. 7) BILL, 1984

A

BILL

to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the ***31****st day of March,* ***1981****, in excess of the amounts granted for those services and for that year.*

Preamble.—WHEREAS it is necessary to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of the State of Kerala to meet the amounts spent on certain services during the financial year ended on the 31st day of March, 1981, in excess of the amounts granted for those services and for that year;

BE it enacted in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Kerala Appropriation (No. 7) Act, 1984.

2. *Issue of Rs.* ***2,50,79,150*** *out of the Consolidated Fund of the State of Kerala to meet certain excess expenditure for the financial year ended on the* ***31****st March,* ***1981****.*—From and out of the Consolidated Fund of the State of Kerala, the sums specified in column (3) of the Schedule amounting in the aggregate to the sum of two crores, fifty lakhs, seventynine thousand, one hundred and fifty rupees shall be deemed to have been authorised to be paid and applied to meet the amounts spent for defraying the charges in respect of the services specified in column (2) of the Schedule during the financial year ended on the 31st day of March, 1981, in excess of the amounts granted for those services and for that year.

3. *Appropriation.*—The sums deemed to have been authorised to be paid and applied from and out of the Consolidated Fund of the State of Kerala under this Act shall be deemed to have been appropriated for the services and purposes expressed in the Schedule in relation to the financial year ended on the 31st day of March, 1981.

THE SCHEDULE

(*See* sections 2 and 3)

(1)	(2)	(3)		
		Excess		
Demand Number	*Services and Purposes*	*Voted by the Legislative Assembly* *Rs.*	*Charged on the Consolidated Fund* *Rs.*	*Total* *Rs.*
II	Heads of States, Ministers and Head Quarters Staff	7,48,678	1,48,505	8,97,183
III	Administration of Justice	13,47,092	..	13,47,092
IV	Elections	7,33,770	..	7,33,770
X	Treasury and Accounts	4,65,656	..	4,65,656
XVI	Pensions and Miscellaneous	1,10,59,197	..	1,10,59,197
XXI	Public Health Engineering	1,05,76,252	..	1,05,76,252
	Total	2,49,30,645	1,48,505	2,50,79,150

STATEMENT OF OBJECTS AND REASONS

The Bill is introduced in pursuance of article 204 (1) of the Constitution of India, read with article 205 thereof, to provide for the appropriation out of the Consolidated Fund of the State of Kerala of the moneys to meet the amounts spent on certain services in excess of the amounts granted for those services for the financial year 1980-81.

K. M. MANI.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 1740A/LA 4A/84. *Dated, Trivandrum, 16th March 1984.*

The Kerala Finance Bill, 1984 together with the Statement of Objects and Reasons, the Financial Memorandum and the Memorandum regarding Delegated Legislation is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/941/MC.

Seventh Kerala Legislative Assembly
Bill No. 107

THE KERALA FINANCE BILL, 1984

A

BILL

to give effect to the financial proposals of the Government of Kerala for the financial year 1984-85.

Preamble.—WHEREAS it is expedient to give effect to the financial proposals of the Government of Kerala for the financial year 1984-85;

BE it enacted in the Thirty-fifth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Finance Act, 1984.

(2) It shall be deemed to have come into force on the 1st day of April, 1984.

2. *Amendment of Act* 15 *of* 1963.—In the Kerala General Sales Tax Act, 1963 (15 of 1963),—

(i) in section 2,—

(a) in clause (viii),—

(A) in the opening paragraph, after the words "or distributing goods", the words "executing works contract, transfers the right to use any goods or supplying by way of or as part of any service, any goods" shall be inserted;

(B) in sub-clause (c), after the words "or distributing goods", the words "executing works contract, transfers the right to use any goods or supplying by way of or as part of any service, any goods", shall be inserted;

(C) in sub-clause (d), for the word 'association", the words "association or body of persons, whether incorporated or not" shall be substituted;

(D) after sub-clause (e) and before *Explanation* (1), the following sub-clause shall be inserted, namely:—

"(f) a person who, whether in the course of business or not,—

(i) transfers any goods, including controlled goods, whether in pursuance of a contract or not, for cash or deferred payment or other valuable consideration;

(2) transfers property in goods (whether as goods or in some other form) involved in the execution of a works contract;

(3) delivers any goods on hire-purchase or any system of payment by instalments;

(4) transfers the right to use any goods for any purpose (whether or not for a specified period) for cash, deferred payment or other valuable consideration;

(5) supplies, by way of or as part of any service or in any other manner whatsoever, goods, being good or any other article for human consumption or any drink (whether or not intoxicating), where such supply or service is for cash, deferred payment or other valuable consideration.";

(E) in *Explanation* (1), for the words "an association" the words "an association or body of persons, whether incorporated or not" shall be substituted;

(b) in clause (xii), after the words "used in the", the words "construction, fitting out, improvement or repair of immovable property or used in the" shall be inserted;

(c) in clause (xviii), for the words "purchases or sells goods", the words "carries on business" shall be substituted;

(d) in clause (xxi),

(A) after the words "every transfer", the words "whether in pursuance of a contract or not" shall be inserted;

(B) in *Explanation* (2), for the words "any association", the words "any association or body of persons, whether incorporated or not" shall be substituted;

(C) in *Explanation* (3), the following words shall be added at the end, namely:—

"on the date of delivery of the goods in pursuance of the agreement of such hire-purchase or other system of payment in instalments.";

(D) after *Explanation* (3), the following *Explanations* shall be inserted, namely:—

"*Explanation* (3A).—A transfer of property in goods involved in the execution of a works contract shall be deemed to be a sale.

Explanation (3B).—A transfer of right to use any goods for any purpose (whether or not for a specified period) for cash, deferred payment or other valuable consideration shall be deemed to be a sale.

Explanation (3C).—Any supply, by way of or as part of any service or in any other manner whatsoever, of goods, being food or any other article for human consumption or any drink (whether or not intoxicating), where such supply or service is for cash, deferred payment or other valuable consideration, shall be deemed to be a sale.

Explanation (3D).—Unless otherwise expressly provided in this Act, any transfer, delivery or supply of any goods referred to in this clause shall be deemed to be a sale of those goods by the person making the transfer, delivery or supply and purchase of those goods by the person to whom such transfer, delivery or supply is made.";

(e) in clause (xxvii) after *Explanation* (1), the following *Explanation* shall be inserted, namely:—

"*Explanation* (1A).—(i) The turnover in respect of works contract shall be the aggregate amount received or receivable by the dealer for carrying out such contract less such portion representing labour charges as may be prescribed;

(ii) The turnover in respect of delivery of goods on hire purchase or on any system of payment by instalments shall be the aggregate amount received or receivable by the dealer, under the terms of such delivery less interest on the unpaid balance if such interest is separately charged;

(iii) The turnover in respect of the transfer of the right to use any goods shall be the aggregate amount received or receivable by the dealer as consideration for such transfer.";

(f) after clause (xxix), the following clause shall be inserted, namely:—

"(xxix a) "Works contract" means any agreement for carrying out for cash or for deferred payment or other valuable consideration the construction, fitting out, improvement or repair of any building, road, bridge or other immovable property or the fitting out, improvement or repair of any movable property;";

(ii) in section 5,—

(a) in sub-section (1),—

(A) in the opening paragraph, for the words "seventy-five thousand rupees", the words "one lakh rupees" shall be substitutd;

(B) in clause (i), the word "and" occurring at the end shall be omitted;

(C) for clause (ii), the following clauses shall be substituted, namely:—

"(ii) in the case of goods not specified in the First or Second Schedule and not coming under clause (iii) at the rate of five per cent at all points of sale; and

(iii) in the case of transfer of the right to use any goods for any purpose (whether or not for a specified period) at the rate of five per cent at all points of such transfer on an aggregate turnover of fifty thousand rupees and above.";

(b) in sub-section (2), for the words "twenty-five thousand rupees" the words "fifty thousand rupees" shall be substituted;

(iii) in section 5-A,—

(a) in sub-section (2),—

(A) for the words "seventy-five thousand rupees", the words "one lakh rupees" shall be substituted;

(B) in the proviso, for the words "twenty-five thousand rupees", the words "fifty thousand rupees" shall be substituted;

(b) in sub-section (3), for the words "seventy-five thousand rupees" and "eighty thousand rupees", the words "one lakh rupees" and "one lakh and ten thousand rupees" shall, respectively, be susbstituted;

(iv) in sub-section (1) of section 7,—

(a) for the words "seventy-five thousand rupees" and "eighty thousand rupees", the words "one lakh rupees" and "one lakh and ten thousand rupees" shall, respectively, be substituted;

(b) for the words "two per cent", the words "two and a half per cent" shall be substituted;

(v) in section 13,—

(a) in sub-section (1), for the words "seventy-five thousand rupees", the words "one lakh rupees" shall be substituted;

(b) in sub-section (2), for the words "twenty-five thousand rupees", the words "fifty thousand rupees and every dealer liable to pay tax under clause (iii) of sub-section (1) of section 5" shall be substituted;

(vi) in section 17, in sub-section (4), for the first proviso, the following proviso shall be substituted, namely:—

"Provided that the provisions of this sub-section shall not apply if the tax due as specified in the return is less than the tax assessed according to the latest completed assessment by more than twenty-five per cent:";

(vii) after section 19A, the following section shall be inserted, namely:—

"19B. *Assessement in case of undervaluation.*—(1) If the assessing authority is satisfied that a dealer has, with a view to evade the payment of tax, shown in his accounts, sale or purchase of any goods at prices lower than the prevailing market price of such goods, it may estimate the value of each goods on the basis of the prevailing market price and assess or reassess the dealer to the best of its judgment, after making such enquiry as it may consider necessary and after affording the dealer a reasonable opportunity of being heard.

(2) The provisions of sub-sections (2) to (4) of section 19 shall apply to the assessment or reassessment under sub-section (1).";

(viii) in section 22, in sub-section (1), the words "and pay over the same to the Government in the manner prescribed." shall be added at the end;

(ix) after section 30, the following section shall be inserted, namely:—

"30A. *Procedure for transport of notified goods.*—(1) The driver or other person in charge of a vehicle or vessel shall stop the vehicle or vessel at any place when so required by any officer, authorised by the Government in this behalf, for the purpose of enabling such officer to verify whether the goods are being transported in contravention of sub-section (1) of section 30.

(2) If, on verification, such officer has reasons to suspect that the goods are being transported in contravention of sub-section (1) of section 30, he may, for reasons to be recorded in writing, detain the goods and shall proceed in accordance with the provisions of section 29A.";

(x) in section 34, in sub-section (1),—

(a) after the word, figures and letter "section 19A", the word, figures and letter "section 19B" shall be inserted;

(b) for the words and figures "or section 30", the words, figures and letter "section 30 or section 30A" shall be substituted;

(c) in the second proviso, after the word and figures "section 19" the words, figures and letter "or section 19B" shall be inserted.

(xi) in the First Schedule,—

(1) after Serial Number 10 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"10A.	Flour not included in the Second Schedule	At the point of first sale in the State by a dealer who is liable to tax under section 5	4
10B.	Vermicelli, ada and semia	do.	8";

(2) after Serial Number 15 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"16.	Dried fruits	At the point of first sale in the State by a dealer who is liable to tax under section 5	8";

(3) after Serial Number 19 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"19A.	Saccharine	At the point of first sale in the State by a dealer who is liable to tax under section 5	10";

(4) after Serial Number 20 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"20A.	Sweets not elsewhere mentioned in this Schedule	At the point of first sale in the State by a dealer who is liable to tax under section 5	8";

(5) in the entry in column (3) against Serial Number 21 for the word "sale" the word "purchase" shall be substituted;

(6) after Serial Number 26 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"26A.	Compounded asafoetida	At the point of first sale in the State by a dealer who is liable to tax under section 5	8";

(7) after Serial Number 28 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"28A.	Cocoa	At the point of last purchase in the State by a dealer who is liable to tax under section 5	6";

(8) for the entries in column (2) against Serial Number 42, the following shall be substituted, namely:—

"Artificial silk yarn, synthetic polyester fibre, polyester fibre yarn and staple fibre yarn";

(9) after Serial Number 46 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"46A.	Stainless steel rods and sheets	At the point of first sale in the State by a dealer who is liable to tax under section 5	8";

(10) after Serial Number 47 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"47A.	Scented arecanut	At the point of first sale in the State by a dealer who is liable to tax under section 5	8";

(11) after Serial Number 49 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"49A.	Ganja and opium	At the point of first sale in the State by a dealer who is liable to tax under section 5	50
49B.	Soap stone	do.	8
49C.	Sandalwood and sandalwood chips	do.	6
49D.	Betal leaves	At the point of last purchase in the State by a dealer who is liable to tax under section 5	5
49E.	Ayurvedic herbs	do.	5";

(12) after Serial Number 56 and the entries relating thereto and before the Explanation thereunder, the following Serial Numbers and entries shall be inserted, namely:—

"56A.	Asphalt (Bitumen)	At the point of first sale in the State by a dealer who is liable to tax under section 5	8
56B.	Shell Hexane	do.	8
56C.	White Oil	do.	8
56D.	Spray Oil	do.	8
56E.	Process Oil	do.	8
56F.	Jet Petrol	do.	4
56G.	Mineral Turpentine	do.	8
56H.	Solvent 1425	do.	8
56I.	Cutting Oil	do.	8
56J.	Solvent Oil	do.	8
56K.	Paraffin wax	do.	8
56L.	Low sulphur heavy stock	do.	8
56M.	Glass cleaner	do.	8";

(13) in the *Explanation* below the entries relating to Serial Number 56, for the figures "56", the figures and letter "56M" shall be substituted;

(14) after Serial Number 58, and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"58A.	Hydrogen Chloride	At the point of first sale in the State by a dealer who is liable to tax under section 5.	7
58B.	Methane	do.	7";

(15) for Serial Number 61 and the entries relating thereto, the following Serial Numbers and entries shall be substituted, namely:—

"61.	Caster oil	At the point of first sale in the State by a dealer who is liable to tax under section 5	5
61A.	Maroti oil	do.	5
61B.	Pine oil	do.	5
61C.	Eucalyptus oil	do.	5
61D.	All other edible oils including refined or hydrogenated oil and margarine except coconut oil	do.	6";

(16) after Serial Number 70 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"70A.	Chalk power	At the point of first sale in the State by a dealer who is liable to tax under section 5	6
70B.	Sagol lime product	do.	8
70C.	Sulphur	do.	8";

(17) after Serial Number 80 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"80A.	Shaving sticks, shaving creams	At the point of first sale in the State by a dealer who is liable to tax under section 5	10
80B.	Raw Bathis	do.	10";

(18) after Serial Number 84 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"84A.	Organic manure	At the point of first sale in the State by a dealer who is liable to tax under section 5.	4";

(19) after Serial Number 96 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"96A.	Cork and cork sheet	At the point of first sale in the State by a dealer who is liable to tax under section 5	8
96B.	Linoleum	do.	15
96C.	Packing cases	do.	8
96D.	Wooden boxes	do.	8
96E.	Shooks	do.	8
96F.	Wood shavings	do.	6
96G.	Particle boards	do.	10";

(20) after Serial Number 97 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"97A.	Map	At the point of first sale in the State by a dealer who is liable to tax under section 5	8
97B.	Printed materials other than journals and books meant for reading	do.	8
97C.	Old newspaper	do.	6
97D.	Paper cuttings	do.	6
97E.	Toilet paper	do.	10
97F.	Playing cards	do.	10";

(21) after Serial Number 100 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"100A.	Gunny bags	At the point of first sale in the State by a dealer who is liable to tax under section 5.	8
100B.	Pilecarpet	do.	15
100C.	P.V.C. Cloth, water-proof cloth, tarpaulin and rexine.	do.	8";

(22) after Serial Number 101 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"101A.	Beds, mattresses and pillows made of cotton	At the point of first sale in the State by a dealer who is liable to tax under section 5	6
101B.	Cotton waste	do.	6
101C.	Cotton yarn waste	do.	6";

(23) for the entry in column (2) against Serial Number 105 the following shall be substituted, namely:—

"Glazed tiles, mosaic tiles, mosaic chips, marble tiles, marble slabs and chips";

(24) after Serial Number 105 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"105A.	Cuddappah stone and slabs	At the point of first sale in the State by a dealer who is liable to tax under section 5	15
105B.	Mica	do.	15";

(25) after Serial Number 111 and the entries relating thereto the following Serial Numbers and entries shall be inserted, namely:—

"111A.	Glass sheets, wound glass and rotton glass	At the point of first sale in the State by a dealer who is liable to tax under section 5	10
111B.	Glass rods	do.	10
111C.	Glass capillaries	do.	10";

(26) after Serial Number 114 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"114A.	Gas meter	At the point of first sale in the State by a dealer who is liable to tax under section 5	8";

(27) after Serial Number 116 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"116A.	Copper	At the point of first sale in the State by a dealer who is liable to tax under section 5	8
116B.	Zinc	do.	8
116C.	Manganese	do.	8
116D.	Brass	do.	8
116E.	Bronze	do.	8
116F.	Magnesium	do.	8
116G.	Ferrosilicon	do.	8";

(28) after Serial Number 121 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"121A.	Metal scraps other than those specified in the Second Schedule	At the point of first sale in the State by a dealer who is liable to tax under Section 5	6
121B.	Concrete poles	do.	8";

(29) after Serial Number 137 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"137A.	Used-up storage batteries sold as scrap	At the point of first sale in the State by a dealer who is liable to tax under section 5	10";

(30) in the entries in column (2) against Serial Number 145, after the word "furniture", the words "or parts thereof" shall be inserted;

(31) after Serial Number 153 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"153A.	Articles made of ivory, horn, rosewood, sandalwood, coconut shell and straw	At the point of first sale in the State by a dealer who is liable to tax under section 5	10";

(32) after Serial Number 159 and the entries relating thereto, the following Serial Number and entries shall be inserted, namely:—

"159A.	Instrument boxes	At the point of first sale in the State by a dealer who is liable to tax under section 5	5";

(33) after Serial Number 160 and the entries relating thereto, the following Serial Numbers and entries shall be inserted, namely:—

"160A.	Carbon paper, type carbon, stencil paper	At the point of first sale in the State by a dealer who is liable to tax under section 5	8
160B.	Typewriter ribbon	do.	8";

(34) for the entry in column (2) against Serial Number 165, the following shall be substituted, namely:—

"Umbrella and parts thereof";

(35) after Serial Number 170 and the entries relating thereto, the following Serial Numbers and entries shall be added, namely:—

"171.	Shellac	At the point of first sale in the State by a dealer who is liable to tax, under section 5	8
172.	Rosin	do.	8
173.	Fibre glass	do.	10
174.	Fevicol	do.	8
175.	Gum and glue	do.	8
176.	Resin	do.	8
177.	Goat hair, raw wool, wool tops, woolen knitting yarn and wigs	do.	6
178.	Fur and articles made of fur	do.	6";

DECLARATION UNDER THE KERALA PROVISIONAL GOLLEGTION OF REVENUES ORDINANGE, 1984

It is hereby delared that it is expedient in the public interest that all the Provisions of this Bill shall have effect from the 1st day of April, 1984, under the Kerala Provisional Collection of Revenues Ordinances, 1984 (20 of 1984).

STATEMENT OF OBJEGTS AND REASONS

The object of the Bill is to give effect to the financial proposals of the State Government for the financial year 1984-85. The Notes on clauses explain the various provisions in the Bill.

FINANGIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

(1) Sub-clause (i) (e) of clause 2 of the Bill seeks to add a new Explanation (1A) to clause (xxvii) of section 2 of the Act to confer power on the Government to prescribe the portion representing the labour charges which shall be deducted from the turnover relating to works contract.

(2) Sub-clause (viii) of clause 2 of the Bill seeks to amend sub-section (1) of section 22 of the Act to confer power on the Government to prescribe the manner in which the tax collected shall be paid over to the Government.

(3) Sub-clause (ix) of clause 2 of the Bill seeks to insert a new section 30A in the Act which confers power on the Government to authorise any officer to require any driver or other person in charge of a vehicle or vessel to stop the vehicle or vessel.

(4) The delegation of the legislative power in the provisions referred to above relates to matters of procedure or administrative detail. Hence, the delegation of legislative power is of a normal character.

K. M. MANI.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. [XXIX] Trivandrum, Friday, 16th February 1984 / 26th Phalguna 1905 [No. 218

UNIVERSITY OF CALICUT

NOTIFICATION

16th March, 1984.

No. Pl. D. Election(2)7493/83

Election of twenty members to the Senate of the University by the Registered Graduates from among themselves of whom one shall be a member of a Scheduled Caste and one shall be a member of a Scheduled Tribe as per item (2) 'Elected Members' in Section 17 of the Act.

Whereas it is necessary to reconstitute the Senate of the University of Calicut in accordance with the provisions of the Calicut University Act 5 of 1975, it is hereby notified that an election will be held according to the principle of proportional representation by means of single transferable vote and in accordance with the procedure laid down in the Statutes on Elections to elect twenty members, not being persons eligible to be elected under items (1), (4), (5), (6), (9), (10), (11) or (12) 'Elected Members' in section 17 of the Act, by the Registered Graduates of the University from among themselves, of whom one shall be a member of a Scheduled Caste and one shall be a member of a Scheduled Tribe as per item (2) 'Elected Members' in section 17 of the Calicut University Act 5 of 1975, to the Senate of the University of Calicut.

33/943/MC.

The following programme for the conduct of election, under Statute 34 of the Calicut University (Conduct of Elections to Various Authorities or Bodies) First Statutes 1975, is therefore notified:—

1.	Date of notification	16-3-1984	
2.	Last date and hour for receipt of nominations	31-3-1984	3 p.m.
3.	Date and hour of scrutiny of nominations	2-4-1984	11 a.m.
4.	Date of publication of list of candidates validly nominated	2-4-1984	
5.	Last date and hour for withdrawal of candidature	6-4-1984	11 a.m.
6.	Date of publication of final list of candidates	6-4-1984	
7.	Last date of issue of ballot paper	11-5-1984	
8.	Date and hour fixed for the poll	The ballot papers shall be returned to the Registrar and Returning Officer so as to be received by him before 5 p.m. on 26-5-1984.	
9.	Date and hour of scrutiny and counting of votes	28-5-1984	10 a.m.

Nominations in the prescribed form, which can be had free of cost from the Returning Officer to any elector whose name is in the electoral roll, should reach the Registrar and Returning Officer, between the hours of eleven O'clock in the forenoon and three O'clock in the afternoon on any working day not later than 31-3-1984.

(Sd.)
Registrar and Returning Officer.

Calicut University P.O.,
16-3-1984.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS,
TRIVANDRUM, 1984.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 16th March 1984 / 26th Phalguna 1905 [No. 219

GOVERNMENT OF KERALA

Taxes (A) Department

NOTIFICATION

G. O. (MS.) 46/84/TD. *Dated, Trivandrum,* 15*th March,* 1984.

S. R. O. No. 261/84.—In exercise of the powers conferred by sections 18A and 29 of the Abkari Act I of 1077 the Government of Kerala hereby make the following Rules further to amend the Kerala Abkari Shops (Disposal in Auction) Rules, 1974, namely:—

RULES

1. *Short title and commencement.*—(i) These rules may be called the Abkari Shops (Disposal in Auction) Amendment Rules, 1984.

(ii) They shall come into force on the 1st day of April, 1984.

2. *Amendments of the Rules.*—In the Kerala Abkari Shops (Disposal in Auction) Rules, 1974,—

(i) after sub-rule (7) of Rule 5, the following sub-rule shall be inserted, namely:—

"(7A) The Assistant Excise Commissioner may grant licences in Form VII appended to these rules for the sale of toddy to an individual tapper or a group of not more than five tappers, in case the toddy shops could not be disposed of as laid down in sub-rule (7).

33/951/MC.

(ii) after chapter VI, the following chapter shall be inserted, namely:—

"CHAPTER VIA

Special conditions applicable to licences for vending toddy granted under sub-rule (7A) of rule 5.

7A. (1) The provisions of this Chapter shall apply to the licence issued under sub-rule (7A) of rule 5. The licensee shall only manufacture fermented toddy which shall be sold only at an authorised place, not being a dwelling place, within the scheduled limits of the toddy shop.

(2) No toddy other than that drawn from the coconut, palmyra or choondapana palms shall be sold by the licensee. All toddy offered or kept for sale should be of good quality and unadulterated. Nothing shall be added to it to increase its intoxicating power or for any other purpose.

(3) The licensee may draw the toddy he requires for sale under tree tapping licences to be obtained under the Tree Tax Rules. No toddy except the produce of trees marked by proper officer and tapped under licence shall be kept in the shop or offered for sale or sold.

(4) In all matters relating Tree Tax, the licensee shall be bound by the Tree Tax Rules. The maximum number of trees that may be tapped by an individual tapper during each period of tree tapping licence shall not exceed 8 coconut or 15 palmyra or 5 choondapana trees. The failure on the part of any licensee to carry on sale in his shop for any period during the continuance of his licence shall not exempt him from the payment of the tree tax due on the number of trees which have to be marked for his shop for each licensing period.

(5) No licensee shall sell toddy unless he has taken out tree tapping licence under the Tree Tax Rules. The licence confers no right to the free use of any tree for the purpose of tapping. The licensee must make his own arrangements with the owner of trees.

(6) The licensee shall be responsible to Government for all instalments of fees due on account of tree tapping licences granted on his application in his name under the conditions set forth therein and in the rules relating thereto.

(7) The licensee shall not manufacture vinegar from toddy, except under such conditions as may be laid down by the Board of Revenue. The distillation of spirits from toddy is absolutely prohibited.

(8) The licensee will be allowed to open only one outlet for the sale of toddy in a place within the scheduled limits of the toddy shop, to be approved by the Assistant Excise Commissioner. A toddy shop (outlet) licensed under these rules shall not be located outside the scheduled limits of the shop, notified in the Gazette or in a place restricted by sub-rule (2) of rule 6.

(9) The licensee shall not sell or otherwise transfer his licence nor shall he lease out or sub-rent the whole or any of the privilege granted to him under the licence.

(10) Sub Shops as laid down in sub-rule (21) of rule 5 will not be sanctioned to the outlets for the sale of toddy licensed under these rules.

(11) Th licence fee for obtaining a licence under these rules shall be Rs. 500 per tapper, for a year or part thereof, to be paid in one instalment before the issue of licence.

(12) Violation of any of the conditions of the licence shall entail cancellation of the licence.

(13) In the case of a licence granted to a group of not exceeding five tappers, the members of the group shall be jointly taken as one licensee; but each tapper of the group shall be jointly and severally liable to comply with the conditions of the licence and the expression "licence" or "licensee" in its application to such group shall be construed accordingly.

(iii) after Form VI, the following Form shall be added, namely:—

FORM No. VII

[*See* rule 5 (7A)]

EXCISE DEPARTMENT—KERALA STATE

Licence No...
Licence granted to ....
....
for the vending of Toddy in an outlet of independent Toddy Shop No......
.... of...............................Range.

I,............................ .... Assistant Excise Commissioner of ....Division, by virtue of the powers conferred on me under rule 5, sub-rule (7A) of the Kerala Abkari Shops (Disposal in Auction) Rules, 1974, hereby licence you to sell toddy in the premises of Toddy Shop outlet described in the schedule appended to this Form for one year from 1st April, 198...............to 31st March 198........subject to the following conditions.

1. The right conferred by this licence applies only to the manufacture and sale of fermented toddy only at an authorised place not being a dwelling place, within the schedule limits of the toddy shop.

2. No toddy other than that drawn from the coconut, palmyra or choondapana palms shall be sold by the licensee. All toddy offered or kept for sale should be of good quality and unadulterated. Nothing shall be added to it to increase its intoxicating power or for any other purpose.

3. The licensee may draw the toddy he requires for sale under tree tapping licences to be obtained under the Tree-tax Rules. No toddy except the produce of trees marked by proper Officer and tapped under licence shall be kept in the shop or offered for sale or sold.

4. In all matters relating tree-tax, the licensee shall be bound by the Tree-tax Rules. The maximum number of trees that may be tapped by an individual tapper during each period of tree tapping licence shall not exceed 8 coconut, 15 palmyrah or 5 choondappana trees. The failure on the part of any licensee to carry on sale in his shop for any period during the continuance of his licence shall not exempt him from the payment of the tree-tax due on the number of trees which have to be marked for his shop for each licensing period.

5. No licensee shall sell toddy unless he has taken out tree tapping licence under the Tree-tax Rules. The licence confers no right to the free use of any tree for the purpose of tapping. The licensee must take his own arrangements with the owner of trees.

6. The licensee shall be responsible to Government for all instalments of fees due on account of tree-tapping licences granted on his application in his name under the conditions set forth therein and in the rules relating thereto.

7. The licensee shall not manufacture vinegar from toddy, except under such conditions as may be laid down by the Board of Revenue. The distillation of spirits from toddy is absolutely prohibited.

8. The licensee will be allowed to open only one outlet for the sale of toddy in a place within the scheduled limits of the toddy shop, to be approved by the Assistant Excise Commissioner. A toddy shop (outlet) licensed under these rules shall not be located outside the scheduled limits of the shop, notified in the Gazette or in a place restricted by sub rule (2) of rule 6.

9. The licensee shall not sell or otherwise transfer his licence nor shall he lease out or sub-rent the whole or any of the privilege granted to him under the licence.

10. Sub-shops as laid down in sub rule (21) of rule 5 will not be sanctioned to the outlets for the sale of toddy to the licensee.

11. The licence fee for obtaining a licence under these rules shall be Rs. 500 per tapper for a year or part thereof, to be paid in one instalment before the issue of licence.

12. Violation of any of the conditions of the licence shall entail cancellation of the licence.

13. All the general conditions applicable to the licensees of Toddy Shops will be applicable to the grantee of this licence.

Schedule showing the Boundaries of the outlet of the Toddy Shop

Taluk *Village* *Desom* *Street*	*Bounded on the*				*Remarks*
Door number or other particulars in full	*North by*	*East by*	*South by*	*West by*	
(1)	(2)	(3)	(4)	(5)	(6)

Assistant Excise Commissioner".

Place:

Date:

By order of the Governor,

U. Mahabala Rao,
Commissioner and Secretary to Government,
(Taxes and Labour).

Explanatory Note

(This is not part of the notification, but is intended to indicate its general purport.)

Government have decided to grant licences to the tappers for the sale of toddy in cases where the shops could not be sold in auction or by negotiation, so as to avoid the possible difficulties of the tappers. The amendment is made to achieve the above object.

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33/951/MC.

Government of Kerala
1984

Reg. No. KL/TV(N)/12

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Local Administration and Social Welfare (D) Department

NOTICE

No. 47717/D1/82/LA & SWD. *Dated, Trivandrum, 6th March,* 1984.

The following draft of certain rules to amend the Kerala Municipalities (Acquisition and transfer of immovable properties) Rules, 1962 issued in G.O. Ms. 422/62/DD dated the 26th April, 1962, and published as S.R.O. No. 123/62 in the Kerala Gazette No. 19 dated the 8th May, 1962, which the Government of Kerala propose to make in exercise of the powers conferred by clause (c) of sub-section (2) of section 344 of the Kerala Municipalities Act, 1960 (14 of 1961) is hereby published for general information as required by sub-section (1) of section 345 of the said Act.

Notice is hereby given that the said draft will be taken up for consideration on or a ter 14-5-1984 and tha t objections or suggestions if any, received from any person in this regard before the date specified above shall be considered by Government. Objections or suggestions, if any, shall be addressed to the Commissioner and Secretary to Government, Local Administration and Social Welfare (D) Department, Secretariat, Trivandrum.

33/952/MC

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Municipalities (Acquisition and transfer of immovable properties) (Amendment) Rules, 1984.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Municipalities (Acquisition and transfer of immovable properties) Rules, 1962, after rule 5, the following rule shall be inserted, namely:—

"5A. *Reservation for members of Scheduled Castes and Scheduled Tribes.*—Ten per cent of the shoprooms, bunks, stalls other building complexes or such other immovable properties belonging to a Municipal Council shall be reserved to be leased out exclusively for members of the Scheduled Castes/Scheduled Tribes. In such cases application shall be invited exclusively from members of Scheduled Castes/Scheduled Tribes:

Provided that the properties so reserved for Scheduled Castes/Scheduled Tribes will be leased out to others observing the rules laid down in this behalf if members of Scheduled Castes/Scheduled Tribes do not come forward to take up the Municipal properties on lease."

By order of the Governor,

C. GOPALAKRISHNAN,

Deputy Secretary.

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport.)

At present immovable properties owned by the Municipalities are being leased out based on competitive tenders or quotations. Always the lessees will be affluent and influential people since they alone can compete. Being economically and socially weaker section of the Society, the Scheduled Castes/Scheduled Tribes members cannot compete with the above section of people in the society and hence the Scheduled Castes/Scheduled Tribes are not in a position to secure lease of Municipal properties. If the Scheduled Castes/Scheduled Tribes are also able to secure lease of Municipal properties they can conduct any trade or business which may definitely improve their living conditions and socio-economic position at least to a certain extent.

In order to achieve this, amendment to the Kerala Municipalities (Acquisition and transfer of immovable properties) Rules 1962 is necessary.

Hence the notification.

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